

GENERAL ASSEMBLY OF NORTH CAROLINA



FISCAL ANALYSIS MEMORANDUM

[This confidential fiscal memorandum is a fiscal analysis of a draft bill, amendment, committee substitute, or conference committee report that has not been formally introduced or adopted on the chamber floor or in committee. This is not an official fiscal note. If upon introduction of the bill you determine that a formal fiscal note is needed, please make a fiscal note request to the Fiscal Research Division, and one will be provided under the rules of the House and the Senate.]

DATE: May 2, 2012

TO: Revenue Laws Study Committee

FROM: Sandra Johnson
Fiscal Research Division

RE: 2011-SVxz-13 vs. 7

FISCAL IMPACT

	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>
REVENUES:					
Section 17: Register of Deeds (State)		\$0	\$0	\$0	\$0
Section 17: Register of Deeds (Local)		No Estimate Available			

EXPENDITURES:

POSITIONS

(cumulative):

PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: County Register of Deeds Offices

EFFECTIVE DATE: Except as otherwise provided, effective when the bill becomes law.

BILL SUMMARY:

Section 17 of the bill amends S.L. 2011-296, legislation enacted to simplify the fees charged for registering instruments with register of deeds offices. The technical corrections bill modifies \$25.00 fee created during the 2011 session in S.L. 2011-296 for registering subsequent instruments. Prior to the enactment of S.L. 2011-296, a \$10.00 fee applied to the registration of subsequent/multiple instruments. The language and fee schedule for registering subsequent instruments in this proposal reduces the \$25.00 fee to \$10.00 making it consistent with the fee schedule used in previous years.

The bill also modifies the definition of subsequent instruments referencing G.S. 45-36.4(18). This change clarifies that subsequent instruments are documents intended to modify, amend, supplement or replace any previously registered instrument.

ASSUMPTIONS AND METHODOLOGY:*No State Impact*

Changes included in the Revenue Laws Technical Corrections proposal modify the register of deeds fee schedule created during the 2011 Session with S.L. 2011-296. S.L. 2011-296 revised the fee schedule used at register of deeds offices and the amount of revenue that the registrars remit to the State. Though the technical corrections bill slightly reduces the amount of revenue collected through the registrar's offices, the amendment does not impact State funds. Register of deeds, under this proposal must still remit to the State \$6.20 per registered document as set forth in S.L. 2011-296.

Local Impact

The local fiscal impact of the technical corrections bill remains unknown due to a lack of data. Conversations with the North Carolina Association Register of Deeds representatives suggest that the impact will be minimal. The proposal changes the register of deeds fee schedule reducing the fees for registering subsequent instruments from \$25.00 per instrument to \$10.00 per instrument. Should the proposal become law, the fees for registering subsequent instruments would be congruent with the fee schedule utilized in prior years.

SOURCES OF DATA: North Carolina Association Register of Deeds

TECHNICAL CONSIDERATIONS: None